



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

PAMELA P. WILLIAMS,
Plaintiff,

vs.

JOSEPH T. HINSON, JR. et al.,
Defendants.

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CIVIL ACTION NO. 6:07-1577-HFF-WMC

ORDER

This case alleges a number of causes of action regarding the finance, construction, and sale of certain properties in Greenville County. Plaintiff is proceeding pro se. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge, suggesting that the motions to dismiss for lack of subject matter jurisdiction (documents 26, 70) be granted. The Report further recommends that should this Court adopt the recommendation of the Magistrate Judge, (1) all other motions be rendered moot, and (2) the lis pendens on the subject properties be cancelled. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may

accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on January 8, 2008, but the parties failed to file any objections to the Report. In the absence of such objections, the Court is not required to give any explanation for adopting the recommendation. *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Moreover, a failure to object waives appellate review. *Wright v. Collins*, 766 F.2d 841, 845-46 (4th Cir. 1985).

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court adopts the Report and incorporates it herein. Therefore, it is the judgment of the Court that the motions to dismiss for lack of subject matter jurisdiction (documents 26, 70) be **GRANTED**. All other motions are deemed **MOOT**, and the lis pendens on the subject properties is cancelled. Because the Court concludes that it lacks subject matter jurisdiction, the case is **DISMISSED** without prejudice.

IT IS SO ORDERED.

Signed this 30th day of January, 2008, in Spartanburg, South Carolina.

s/ Henry F. Floyd
HENRY F. FLOYD
UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this Order within 30 days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.